



City of Ann Arbor

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* **Requester:** Community Services

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* **File Name:** 3/6/23 Resolution to Approve Downtown Street Closures for Restaurant and Retail Use

Final Action: 03/06/2023

Title: Resolution to Approve Downtown Street Closures for Restaurant and Retail Use

Notes:

Agenda Date: 03/06/2023

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Sponsors:

Enactment Date: 03/06/2023

Attachments:

Enactment #: R-23-073

Drafter/Contact: Debra Williams

Hearing Date:

* **Admin/Mgr:** Derek Delacourt, Community Services Area Administrator

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council	03/06/2023	Approved				Pass

Text of Legislative File 23-0325

Resolution to Approve Downtown Street Closures for Restaurant and Retail Use

In 2020, a Resolution (R-20-194) was approved to promote healthy street closures for restaurant and retail use during the COVID-19 pandemic. Subsequent Resolutions have extended these closures every year. These closures have proven to be successful in creating support for businesses while fostering an active and safe downtown environment. This Resolution seeks to continue these closures on an ongoing basis without the need to seek annual Council approval.

It is recommended that these closures occur beginning on or around April 1st and end on or around October 31st of each year. This request will also include each Memorial Day, 4th of July and Labor Day to extend the closure to 6:00 AM on the following day.

For 2023, there will be construction on Main Street through the summer. Adjustments will be made to accommodate businesses and customers during the phased closing of Main Street. The Main Street Area Association will work with City staff to address these closures.

In prior years, the DDA has provided funding to downtown area associations to cover their cost of installing, removing, and renting barricades for these street closures. Subsequent funding for barricades will be assessed each year. The DDA will provide meter bags within these closure areas at no cost.

Prepared by: Debra Williams, Office Manager
Reviewed by: John Fournier, Deputy City Administrator
Derek Delacourt, Community Services Area Administrator
Approved by: Milton Dohoney Jr., City Administrator

Whereas, Due to the COVID-19 pandemic, the City has closed streets in the downtown since 2022 in an effort to support physical distancing, and a sociable, robust business environment in our downtown;

Whereas, Certain merchant and business associations in the City are requesting the closure of certain streets so that restaurants and retail businesses adjacent or near to the closed streets are able to use the street for seating and sales, which will support economic recovery and build a more resilient community, encouraging patronage of downtown businesses, and reinforcing core values of safety, mobility, equity, and downtown vitality;

Whereas, While the special event permitting process will be not be required for the occupancy of these closed streets, this circumstance should not be considered a special event in the traditional sense because the use of the street is not for a fair, or festival, but to fulfill a need to create socially distanced seating and business space in the downtown;

Whereas, Businesses who use the public right of way and other public spaces for their business operations should acknowledge their obligation to follow the requirements of any current or forthcoming emergency orders and declarations for the benefit of public health and the importance of social distancing; and

Whereas, City Council is permitted under Chapter 79, Solicitors and Peddlers, of the Ann Arbor City Code to restrict the issuance of solicitors' and peddlers' licenses during special events, or at times when congestion in the City or a part of the City is too great to allow peddling and soliciting;

RESOLVED, That City Council annually approve the partial or full closure of the streets identified below subject to the specific restrictions and conditions set forth in this resolution:

- Main Street from William to Washington;
- West Liberty Street from Ashley to Main;

- East Liberty Street from Main to Fourth;
- West Washington Street from Ashley to Main;
- Street closures for the Main Street Area Association will continue to require review by City Fire Department to ensure code compliance for fire access for fire hydrants, Fire Department Connections (FDC), and the appropriate unobstructed fire-lane width;

RESOLVED, That City Council approve the closing of the streets identified above beginning as early as on or around every April 1st through on or around every October 31;

RESOLVED, That City Council approve this request for closure of the streets specified and any public parking lots downtown beginning on Thursdays at 4:00 pm and ending on Mondays at 6:00 am, except for the closure West Washington Street which shall be for 24 hours a day and for seven days a week;

RESOLVED, That City Council approve the extension of these closures until 6:00 AM the day after Memorial Day, 4th of July and Labor Day;

RESOLVED, That City Council grants the City Administrator the authority and flexibility to expand or scale down the closure days and times of blocks within each business district within the dates specified above, including scaling the closures down on the days of home University of Michigan football games and other similar events;

RESOLVED, That City Council impose the following restrictions and conditions with which the Merchants Associations must comply:

- Streets must be barricaded using AAPD-approved barricades and designated locations to insure restriction of traffic;
- During the time the streets are closed parking is prohibited on the closed portion of those streets;
- Annual Sidewalk Occupancy Permits will remain valid within these designated street areas;
- Peddler/Solicitor Permits, including permits for pedicabs, are invalid within these street areas during the time streets are closed;
- Commercial Quadricycle Permits are invalid in areas of street closures; and
- The Main Street Area Association will continuously meet with businesses owners and operators to address the concerns and issues which are associated with the road closures, changes to use of the rights-of-way, and use of on-street parking;

RESOLVED, That each applicant shall provide insurance coverage satisfactory to the City Attorney in connection with the occupancy and use of City public rights of way during the dates of street closures, which insurance shall name the City of Ann Arbor as an additional insured; and

RESOLVED, That the City Clerk be directed to mail to any current Commercial Quadricycle permit holder a certified copy of this Resolution as notice of prohibited operation during the time of street closures.

**An administrative correction was made to this resolution on March 8, 2024 to correct a scrivener's error.*